

REMARKS

In the Office Action of April 4, 2004, the Examiner rejected claims 1-7, 12, 13, 16, 17, 19, 20 under 35 U.S.C. 102 (b) as being anticipated by Lopez (5749580). Claims 8 through 11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lopez in view of Burkett (4375889) and MacRae (94216966). Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lopez in view of Boofer (4067579). Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lopez in view of McDonald (4290607). Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over Lopez in view of Aharonian (4480838).

With respect to the primary reference to Lopez, applicants acknowledge that many of the claims have been rejected as fully anticipated by Lopez, but applicants respectfully wish to bring the following to the attention of the Examiner.

First, there are no roadways taught or shown by Lopez, where as the present invention has a plurality of paths representing roadways. To further emphasize the difference, the new claims specifically state that the plurality of paths are illustrating roadways.

Second, the present invention game requires different types of game cards that create a much more complex game play than Lopez teaches. This is now more specifically emphasized in sub paragraph (c) of claim 21.

Third, and very significantly, the present invention, as indicated in the original main claim last paragraph and as now more fully elaborated upon in the last three

paragraphs of new claim 21, relies upon random events both for game play and for educating the players as to rules of the road. Lopez is directed to a game for preparing a drivers license examination and, hence, teaches the use of questions and answers for play advancement and penalties. This feature is intentionally absent from the instructions. The present invention specifically relies upon outcomes of the chance device. In addition to the forgoing shortcomings of Lopez, paragraph (c) of new claim 21 now specifically recites the game cards, and Lopez does not teach all of these.

Thus, for all of the above reasons, rejections of the new claims under 35 U.S.C. 102(b) as well as under 35 U.S.C. 103(a), would be inappropriate.

The secondary references to Burkett, MacRae, Boofer, McDonald and Aharonian all fail to overcome the shortcomings of Lopez described above. Burkett teaches a traffic board game apparatus, including a speed and alcohol level chance device, but not one that has separate spinners and that may be relied upon separately or in combination. Likewise, MacRae is cited for having dual spinners, but lacks one spinner for speed and another for alcohol level. Contrary to the Examiner's position in the rejection, it would not be obvious to use the Burkett or MacRae devices. Boofer is directed to a board game for the trucking industry, but has all of the shortcomings of the primary reference and lacks other components of the present invention as set forth in the new amended claims. McDonald and Aharonian are directed to travel games and family financial board games. It would be inappropriate to use these teachings in a competitive educational driving board game, especially the teachings of McDonald, which is completely non-analogous.

It is believed that these rejections have been overcome by the above amendments submitting all new claims in the case. Likewise, the objection to claim 19 has been negated by the amendments.

A Petition for Extension of Time to answer, along with the statutory fee is also enclosed.

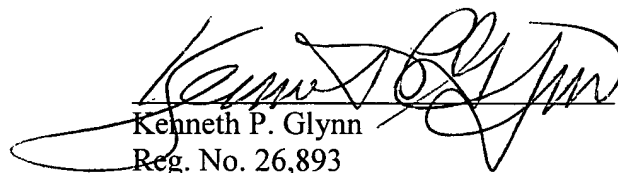
In view of the above amendments and remarks, and the Petition and fee, it is urged that claims 21 through 38 should be allowed.

Thank you.

Respectfully submitted,

Dated: September 2, 2004

kpg/amm
enclosures
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